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10/525,270	11/07/2005	Henrik Sundstrom	9563-27	4991
54414 7590 06/11/2008 MYERS BIGEL SIBLEY & SAJOVEC, P.A. P.O. BOX 37428 RALEIGH, NC 27627				
EXAMINER				
BUI, HANH THI MINH				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/525,270

**Applicant(s)**

SUNDSTROM, HENRIK

**Examiner**

HANH T. BUI

**Art Unit**

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Status of Claims***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 12<sup>th</sup>, 2008 has been entered.

2. Applicants' amendment dated May 20<sup>th</sup>, 2008 responding to the February 20<sup>th</sup>, 2008 Final Office Action provided in the rejection of claims 1-21.

Claims 17-21 have been canceled.

Claims 1-16 are pending in the application, of which claims 1, 7 and 16 are in independent form, and which have been fully considered by the examiner.

Any objections/rejections are not repeated below for record are withdrawn due to Applicants' amendment.

3. Applicants' arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection. Kabushiki (European Patent Application EP0311807 – hereinafter, Kabushiki) (art of record), Tracy (US Patent 5,548,084 – hereinafter, Tracy) (art of record), Betti et al. (Pub. No. US 2003/0026593 – hereinafter, Betti et al.) (art of record) and "How I made these animations", Published 2001 by Matt Keveney (hereinafter - Keveney) (art made of record). It is noted that Applicants'

arguments are directed towards limitations newly added via amendments, in which Keveney discloses such claimed limitations, as noted in new rejection below.

### REMARKS

4. Answers To Applicant's Arguments:

a. **Arguments:** (See Remarks Page 6, third paragraph); Applicant submits that Kabushiki does not disclose various recitations of Claim 1, such as,

i. obtaining at least one property of the coded file (including color depth, width of picture, height of picture and/or animation information)

**Answer:** Examiner asserts that in the previous Office Action, Examiner pointed out on Pg.6 that Kabushiki discloses in Col. 9 line 56 through Col. 10: line 19; "... document management application (***coded file***) ... drawing data management application (***coded file***)... As for drawing data, a plurality of files are generated for each drawing. In this instance, theses files are a work sheet file, a net file, and a plotter file... The net file describes relative positions and connections of parts in the drawing (***different properties of the file***) ..." - emphasis added.

ii. matching the property against at least one application where the file could be used, and associating the indication with the coded file for later enabling, of a decision about use of the file in the application,

**Answer:** Examiner asserts that in the previous Office Action, Examiner pointed out on Pg.7 that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to recognize that since at least Windows 95

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any application file is coded some way virtually, which means all file extensions are associated to application programs. Therefore, the search mechanism of Window operating system can match the property against at least one application where the file could be used.

iii. generating an indication indicating whether or not the file can be used in the application based on the matching,

**Answer:** Examiner asserts that in the previous Office Action, Examiner pointed out on Pg.7 that Kabushiki discloses in Col. 9: lines 56-59; "the application flag (*indication*) of the main header portion is used for **indicating** the document management **application** or the drawing data management **application**" - emphasis added

iv. where the application uses a certain type of file but has limitations regarding the properties of the type of file (including color depth, width of picture, height of picture and/or animation information).

**Answer:** Kabushiki does not explicitly teach "*the property comprises color depth, width of picture, height of picture and/or animation information*". However, Keveney discloses steps to create animations in a CAD program including drawing (*the type of file*) with *color* (See Pg. 2: first para.) and *animation information*.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 2, 3, 5, 7, 12, 13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabushiki (European Patent Application EP0311807 – hereinafter, Kabushiki) in view of “How I made these animations”, Published 2001 by Matt Keveney (hereinafter - Keveney).**

Regarding claim 1:

Kabushiki discloses a *method of determining usability of a coded file in an application, the method including:*

- *obtaining at least one property of the coded file*

(Col. 9: line 56 through Col. 10: line 19; "... document management application (**coded file**) ... drawing data management application (**coded file**)... As for drawing data, a plurality of files are generated for each drawing. In this instance, these files are a work sheet file, a net file, and a plotter file... The net file describes relative positions and connections of parts in the drawing (**properties of coded file**) ..." - emphasis added.).

- *generating an indication indicating whether or not the file can be used in the application based on the matching*

(Col. 9: lines 56-59; "the application flag (**indication**) of the main header portion is used for **indicating** the document management **application** or the drawing data management **application**" - emphasis added.)

- *matching the property against at least one application where the file could be used; and associating the indication with the coded file for later enabling of a decision about use of the file in the application*

Examiner noted it would have been obvious to one having ordinary skill in the art at the time of the invention was made to recognize that since at least Windows 95 any application file is coded some way virtually, which means all file extensions are associated to application programs. Therefore, the search mechanism of Window operating system can match the property against at least one application where the file could be used.

- *wherein the application uses a certain type of file but has limitations regarding the properties of the type of file.*

(Col. 10: lines 2-19; "As for drawing data **(the type of file)**, a **plurality of files** are generated for each drawing. In this instance, theses files are a work sheet file, a net file, and a plotter file **(certain type of file)**... The net file describes relative positions and connections of parts in the drawing **(properties of the type of file)**..." - emphasis added.).

But, Kabushiki does not explicitly teach

- *the property comprises color depth, width of picture, height of picture and/or animation information..*

However, Keveney discloses steps to create animations in a CAD program including drawing **(the type of file)** with **color** (See Pg. 2: first para.) and **animation information**.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Keveney into the teachings of Kabushiki because such combination would have reduce the work load so more pictures can be published faster as suggested by Keveney (See Pg. 1: fourth para.)

Regarding claim 2:

Kabushiki and Keveney disclose *a method of claim 1*

- *wherein the at least one property is more than one property and the more than one property is matched against each application*

(Kabushiki further discloses "the data of one page contains a work sheet data file, a drawing data file (net file), and an image expanded picture (plotter file)" (See Col. 9: lines 38-40) and "under the drawing management **application**, these related files are systematically combined (**matched**) into one page" (emphasis added – See Col. 10: lines 10-12)).

- *generating a flag indicating that the file can be used if all matched properties of the coded file can be used in the application*

(Kabushiki further discloses in Col. 9: lines 56-59; "the **application flag** of the main header portion is used for **indicating** the document management **application** or the drawing data management **application**", emphasis added.).

Regarding claim 3:

Kabushiki and Keveney disclose *a method of claim 1*



- *wherein the file is an image file,*

(Kabushiki further discloses in Col. 9: lines 54-56; "the drawing data management application is for filing the drawing data (CAD) (**image file**) by a personal computer" – emphasis added.).

Regarding claim 5:

Kabushiki and Keveney disclose *a method of claim 1*

- *checking the indication before using the file in an application associated with the indication*

(Kabushiki further discloses in Col. 22: lines 37-45; "the data as read out from optical disk 19 is loaded into page memory 14, while being exclusively ORing with the original data. The result of the exclusively ORing operation show "0" when both data are coincident with each other, but shows a logical value other than "0" when both data are not coincident. Therefore, check to see if the operation results area all "0" suffices for the registered data check").

Regarding claim 7:

Kabushiki discloses *an electronic device for determining usability of a coded file in an application comprising:*

- *at least one file matching unit associated with an application*

Examiner noted it would have been obvious to one having ordinary skill in the art at the time of the invention was made to recognize that since at least Windows 95 any

application file is coded some way virtually, which means all file extensions are associated to application programs. Therefore, the search mechanism of Window operating system can be viewed as a file-matching unit to match the property against at least one application where the file could be used.

- *receive at least one property of the coded file*

(Col. 9: line 56 through Col. 10: line 19; "... document management application (***coded file***) ... drawing data management application (***coded file***)... As for drawing data, a plurality of files are generated for each drawing. In this instance, theses files are a work sheet file, a net file, and a plotter file... The net file describes relative positions and connections of parts in the drawing (***properties of coded file***) ..." - emphasis added.).

- *generate an indication indicating whether or not the file can be used in the application based on the matching*

(Col. 9: lines 56-59; "the application flag (***indication***) of the main header portion is used for ***indicating*** the document management ***application*** or the drawing data management ***application***" - emphasis added.)

- *match the property against the application; and associate the indication with the coded file for later enabling of a decision about use of the file in the application*

Examiner noted it would have been obvious to one having ordinary skill in the art at the time of the invention was made to recognize that since at least Windows 95 any application file is coded some way virtually, which means all file extensions are associated to application programs. Therefore, the search mechanism of Window

operating system can match the property against at least one application where the file could be used.

- *wherein the application uses a certain type of file but has limitations regarding the properties of the type of file.*

(Col. 10: lines 2-19; "As for drawing data (**the type of file**), **a plurality of files** are generated for each drawing. In this instance, theses files are a work sheet file, a net file, and a plotter file (**certain type of file**)... The net file describes relative positions and connections of parts in the drawing (**properties of the type of file**)..." - emphasis added.).

But, Kabushiki does not explicitly teach

- *the property comprises color depth, width of picture, height of picture and/or animation information..*

However, Keveney discloses steps to create animations in a CAD program including drawing (**the type of file**) with color (See Pg. 2: first para.) and animation information.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Keveney into the teachings of Kabushiki because such combination would have reduce the work load so more pictures can be published faster as suggested by Keveney (See Pg. 1:fourth para.)

Regarding claim 12:

Kabushiki and Keveney disclose *an electronic device according to claim 7*

- *an application unit arranged to check the corresponding indication before using the coded file*

(Kabushiki further discloses in Col. 9: lines 56-59; “the **application flag** of the main header portion is used for **indicating** the document management application or the drawing data management application” - emphasis added.).

Regarding claim 13:

Kabushiki and Keveney disclose *an electronic device according to claim 7*

- *wherein the file matching unit is more than one file matching unit and each matching unit is associated with a corresponding application.*

Examiner noted that besides the search mechanism of Window operating system, there are many other matching techniques such as Run function. For instance, when a user type in the name of the program, folder..., then the file will be displayed after a searching and matching mechanism performed.

Regarding claim 16:

Kabushiki discloses *a computer program product for determining usability of a coded file, the computer program product comprising:*

- *program code embodied in a computer-readable storage medium*

Kabushiki discloses in the abstract “an information processing apparatus is provided with a scanner (20) and a magnetic disc (28a) both for supplying the data to be stored, and an optical disk (19) for storing the supplied data”.

All the limitations of this claim have been noted in the rejection of claim 1.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 4, 6, 8, 9, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabushiki in view of Keveney and further in view of Betti et al. (Pub. No. US 2003/0026593 - hereinafter, Betti et al.)**

Regarding claim 4:

Kabushiki and Keveney disclose *a method according to claim 1*, but Kabushiki and Keveney do not explicitly teach

- *wherein the file is a sound file.*

However, Betti et al. discloses in abstract "decoding a data file, particularly of the MPEG type (***sound file***)", emphasis added.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Betti et al. into the teachings of Kabushiki and Keveney because such combination would have provided a major advantage of MPEG compared to other video and audio coding formats is that MPEG files are much smaller for the same quality.

Regarding claim 6:

Kabushiki and Keveney disclose *a method according to claim 1*, but Kabushiki and Keveney do not explicitly teach

- *wherein the properties are obtained through decoding the code file*

However, Betti et al. discloses in paragraph [0087]: "The decoder 17 reconstructs the imaging contents of the original data flow 12 by decoding the MPEG file 13 frame by frame according to the CSM identification byte"

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Betti et al. into the teachings of Kabushiki and Keveney because such combination would have improved the file storage methods and obviating the need of large inconvenient HDDs as suggested by Betti et al. (See paragraph [0055]).

Regarding claim 8:

Kabushiki and Keveney disclose *a method according to claim 7*, but Kabushiki and Keveney do not explicitly teach

- *a file property extractor for obtaining the at least one property of the code file*

However, Betti et al. discloses in FIG.7 and the associated text, e.g. paragraph [0087]: "a decoder 17, particularly of the RS encode/decode type accordingly. The decoder 17 reconstructs the imaging contents of the original data flow 12 by decoding the MPEG file 13 frame by frame according to the CSM identification byte". It is noted

that as claim 11 recites "the file property extractor is a file decoder"; therefore the decoder 17 can be viewed as a file property extractor.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Betti et al. into the teachings of Kabushiki and Keveney because such combination would have improved the file storage methods and obviating the need of large inconvenient HDDs as suggested by Betti et al. (See paragraph [0055]).

Regarding claim 9:

Kabushiki and Keveney disclose *a method according to claim 7*, but Kabushiki and Keveney do not explicitly teach

- *wherein the file property extractor is arranged to extract more than one property of the file and the file matching unit is arranged to match all extracted properties relevant to the application*".

However, Betti et al. discloses in FIG. 7 and the associated text, e.g., paragraph [0087]; "The decoder 17 reconstructs the imaging contents of the original data flow 12 by decoding the MPEG file 13 frame by frame according to the CSM identification byte".

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Betti et al. into the teachings of Kabushiki and Keveney because such combination would have improved the file storage methods and obviating the need of large inconvenient HDDs as suggested by Betti et al. (See paragraph [0055]).

Regarding claim 10:

Kabushiki and Keveney disclose a *method according to claim 7*, but Kabushiki and Keveney do not explicitly teach

- *wherein the file property extractor is arranged to store the property after extraction*".

However, Betti et al. discloses in the abstract "storing parameters that are associated with corresponding different frames whose values are selected to provided a playing quality level requested by an end user".

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Betti et al. into the teachings of Kabushiki and Keveney because such combination would have improved the file storage methods and obviating the need of large inconvenient HDDs as suggested by Betti et al. (See paragraph [0055]).

Regarding claim 11:

The rejection of base claim 7 is incorporated. All the limitations of this claim have been noted in the rejection of claim 8.

**9. Claims 14, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabushiki in view of Keveney and further in view of Tracy (US Patent 5,548,084 – hereinafter, Tracy).**



Regarding claim 14:

Kabushiki and Keveney disclose *an electronic device according to claim 7*, but Kabushiki and Keveney do not explicitly teach

- *wherein the device is a portable communication device*

However, Tracy discloses in Col. 2: lines 27-28; "the electronic device 10 is preferably a **portable communication device** such as a two-way radio, cellular phone", emphasis added.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tracy into the teachings of Kabushiki and Keveney because such combination would have provided the advantage of new technology applied in daily use, such as an integrated light pipe can be used in a shielded housing for electronic devices as suggested by Tracy (See Col. 1: lines 35-36.)

Regarding claim 15:

The rejection of base claim 7 is incorporated. All the limitations of this claim have been noted in the rejection of claim 14.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh T. Bui whose telephone number is (571) 270-1976. The examiner can normally be reached on Mon. - Thur., 9:30AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. T. B./

Examiner, Art Unit 2192

/Tuan Q. Dam/

Supervisory Patent Examiner, Art Unit 2192